REMARKS

The Applicants submit the following remarks in response to the Office Action mailed July 2, 2007, which rejected claims 178-276. The amendments above and remarks that follow address all of the points raised in the Office Action and Applicants submit that all pending claims are in condition for allowance.

Objection to Claims 220 and 221

The Examiner objects to claims 220 and 221 because they both depend from claim 220. Applicants have amended claim 220 to correct this typographical error and thank the Examiner for pointing it out.

In addition, the Applicants have amended claims 199, 213, and 257, and have canceled claim 269. No new matter is added.

Claim Rejections Under 35 U.S.C. § 102(e)

In the Office Action, the Examiner rejects claims 178-276 under 35 U.S.C.§ 102(e) as being anticipated by U.S. Patent No. 5,544,321 to Theimer et al. ("Theimer"). The Applicants traverse.

The Theimer Reference

Theimer purports to teach a multiple computer system in which a user's interaction with nearby computers is governed by locational, environmental, and contextual cues—in other words, the user's experience depends on the location of the user, constraints set by the computer used, who owns the computer, and so forth. (Theimer, col. 4, lines 30-36 and col. 9, lines 66-67.) Theimer describes a computer system which includes multiple computing devices, both

stationary and mobile, and methods for effecting a context-sensitive computing system. For example, Theimer describes a "UserAgent," which is a "process that may be running on some trusted computer or computers on the network" and which "gathers and manages person specific information, such as office number and affiliations, and personal policies and preferences of the user." (Theimer, col. 10, lines 4-18.)

Theimer Does Not Anticipate Independent Claim 178

Claim 178 is generally directed to a process control system which includes a plurality of devices to any of monitor and control a process and a portable computer that is equipped for display to, and input from, an operator. The process control system also includes a program executing on the portable computer to transmit a request to a digital data processor that is separate from the portable computer. The request is made to update information that controls one or more of the devices. The system also includes software executing on the digital data processor, the software responding to selected requests received from the program to issue a command to update information that controls one or more of the devices.

The Examiner contends that Theimer anticipates claim 178. The Applicants respectfully disagree. For example, Theimer does not disclose "C. a program executing on the portable computer that responds to input to transmit to a digital data processor separate from the portable computer a request to update information that controls one or more of the devices," as recited in claim 178. The Examiner merely cites what amounts to a list of computer devices in Theimer as somehow disclosing these claim elements. (See Office Action at 6, citing "server, col. 5, line 48, a portable computer, col. 7, line 37".) The Applicants do not understand the cited passage to teach or suggest the claimed limitations.

Theimer also does not disclose "D. software executing on the digital data processor, the software responding to selected requests received from the program to issue a command to update information that controls one or more of the devices," as recited in claim 178. The Examiner cites Theimer's discussion of a "Location Service," at col. 12, lines 45-55, as purportedly disclosing these claim elements. However, in that passage Theimer merely discusses a "UserAgent" updating itself based on a callback from a Location Service about nearby things (such as a nearby user or object). The Applicants do not understand the cited passage to teach or suggest software executing on the digital data processor, the software responding to selected requests received from the program to issue a command to update information that controls one or more devices, as recited in the claim.

For at least these reasons, claim 178 is allowable over Theimer.

Theimer Does Not Anticipate Independent Claim 190

Claim 190 is generally directed to a process control system of the type having a plurality of devices to any of monitor and control a process. The system includes a portable computer equipped for display to, and input from, an operator and a program executing on the portable computer that transmits requests to a digital data processor, which is disposed remotely from the portable computer and is coupled for communication therewith via a wireless network. The requests are to update information that controls one or more of the devices, the program responding to operator input to transmit requests to get information reflecting the status of one or more of the devices and/or displaying said information. The system further includes software executing on the digital data processor, the software responding to requests received from the

program to selectively (a) issue a command to update information that controls one or more of the devices and (b) obtain information pertaining to one or more of the devices.

The Examiner contends that Theimer anticipates claim 190. The Applicants respectfully disagree. For example, Theimer does not disclose "B. A program executing on the portable computer that transmits to a digital data processor requests to update information that controls one or more of the devices, the program responding to operator input to transmit requests to get information reflecting the status of one or more of the devices and/or displaying said information," as recited in claim 190. The Examiner asserts that these element are disclosed by Theimer at col. 8, lines 33-47. However, the cited passage Theimer merely discusses a "DeviceAgent" which represents a device and which collects information about the capabilities of the device (e.g., whether it has a display) or its current state. The Applicants do not understand this passage to teach or suggest a program executing on a portable computer that transmits requests to a digital data processor to update information that controls one or more devices, the program responding to operator input to transmit requests to get information reflecting the status of one or more of the devices and/or displaying said information, as recited in the claim.

Theimer also does not disclose "C. software executing on the digital data processor, the software responding to requests received from the program to selectively (a) issue a command to update information that controls one or more of the devices and (b) obtain information pertaining to one or more of the devices," as recited in claim 190. The Examiner points to Theimer at col. 12, lines 45-55, however this passage merely discusses a "UserAgent" updating itself based on a callback from a Location Service about nearby things (such as a nearby user or object).

Applicants do not understand this passage to teach or suggest software executing on the digital

data processor, the software responding to requests received from the program to selectively (a)

issue a command to update information that controls one or more of the devices and (b) obtain

information pertaining to one or more of the devices, as recited in the claim.

For at least these reasons, claim 190 is allowable over Theimer.

<u>Theimer Does Not Anticipate Independent Claim 199</u>

Claim 199 is generally directed to a process control system which includes a plurality of

devices to any of monitor and control a process, and a portable computer equipped for display to,

and input from, an operator. The system also includes a digital data processor coupled to the

portable computer via a wireless network. The system includes software executing on the digital

data processor, the software responding to selected requests received from the portable computer

to execute a service. The service is for at least one of (i) creating a named object that stores

information regarding the one or more control/sensing devices, (ii) destroying such an object,

(iii) accessing information in such an object, (iv) updating information in such an object, (v)

determining, from an object name, a physical address associated with such an object, and (vi)

providing notification of changes in at least selected information stored in such an object.

Furthermore, the portable computer transmits to the digital data processor requests for one or

more of these services, and responds to input to transmit to the digital data processor requests for

one or more of these services in order to update information in an object that is associated with

one or more of the devices.

The Examiner contends that Theimer anticipates claim 199. The Applicants respectfully

disagree. For example, Theimer does not disclose "D. software executing on the digital data

processor, the software responding to selected requests received from the portable computer to execute a service for at least one of (i) creating a named object that stores information regarding the one or more control/sensing devices, (ii) destroying such an object, (iii) accessing information in such an object, (iv) updating information in such an object, (v) determining, from an object name, a physical address associated with such an object, and (vi) providing notification of changes in at least selected information stored in such an object," as recited in claim 199. The Examiner cites what appear to be several unrelated passages in Theimer. However, the Applicants do not understand any of the cited passages to teach or suggest the limitations for which they are cited. For example:

- As to (i) and (ii), Theimer does not teach or suggest a portable computer sending requests to a digital data processor to execute a service for (i) creating an object that stores information about control/sensing devices which are monitoring and controlling a process, or (ii) destroying such an object, as recited in the claim. Rather the passage cited by the Examiner (which is col. 16, lines 35-45 of Theimer) merely discusses a "Name and Location Service" which maintain categories of information and provides callback services.

- As to (iii), Theimer does not teach or suggest a portable computer sending requests to a digital data processor to execute a service for (iii) accessing information in such an object (e.g., such an object as recited in part (i) of claim 199). Rather, the passage cited by the Examiner (which is col. 20, lines 3-15 of Theimer) merely discusses the Location Service taking requests to update the location of a printer or display terminal;

- As to (iv), Theimer does not teach or suggest a portable computer sending requests to a digital data processor to execute a service for (iv) updating information in such an object (e.g., such an object as recited in part (i) of claim 199). Rather, the passage cited by the Examiner (which is col. 12, lines 45-55 of Theimer) merely discusses a UserAgent updating itself based on a callback from a Location Service about nearby things, such as a nearby user or object;

- As to (v), Theimer does not teach or suggest a portable computer sending requests to a digital data processor to execute a service for (v) determining, from an object name, a physical address associated with such an object, (e.g., such an object as recited in part (i) of claim 199). Rather, the passage cited by the Examiner (which is col. 7, line 55 to col. 8, line 14 of Theimer) merely discusses a Name Service where software processes, users, or devices can register themselves;

- As to (vi), Theimer does not teach or suggest a portable computer sending requests to a digital data processor to execute a service for (vi) providing notification of changes in at least selected information stored in such an object, (e.g., such an object as recited in part (i) of claim 199). Rather, the passage cited by the Examiner (which is col. 12, lines 20-45 of Theimer) merely discusses the Location Service performing a status check and providing callbacks to other software processes in response to location queries.

Theimer also does not disclose "E. the portable computer transmitting to the digital data processor requests for one or more said services, and responding to input to transmit to the digital data processor requests for one or more of said services in order to update information in

an object that is associated with one or more of the devices." The Examiner cites Theimer's

discussion of a UserAgent updating itself based on a callback from a Location Service about

nearby things (such as a nearby user or object). (Theimer, col. 12, lines 45-55.) However, the

Applicants do not understand the cited passage to teach or suggest that the portable computer

transmits to the digital data processor requests for one or more services and the portable

computer responding to input to transmit requests for one or more of the services to the digital

data processor in order to update information in an object that is associated with one or more of

devices, as recited in the claim.

For at least these reasons, among others, claim 199 is allowable over Theimer.

Theimer Does Not Anticipate Independent Claim 213

Claim 213 is generally directed to a process control system which includes a plurality of

devices to any of monitor and control a process, and a portable computer equipped for display to,

and input from, an operator. The system also includes a digital data processor coupled to the

portable computer via a wireless network, and software executing on the digital data processor.

The software responds to selected requests received from the portable computer to execute a

service for at least one of (i) creating a named object that stores information regarding the one or

more control/sensing devices, (ii) destroying such an object, (iii) accessing information in such

an object, (iv) updating information in such an object, (v) determining, from an object name, a

physical address associated with such an object, and (vi) providing notification of changes in at

least selected information stored in such an object.

The Examiner contends that Theimer anticipates claim 213, relying on the same passages

of Theimer as were relied upon for claim 199. The Applicants respectfully disagree. The

arguments presented above in connection with claim 199 apply with equal force to establish that

claim 213 is allowable over Theimer. More specifically, Theimer does not disclose "D.

software executing on the digital data processor, the software responding to selected requests

received from the portable computer to execute a service for at least one of (i) creating a named

object that stores information regarding the one or more control/sensing devices, (ii) destroying

such an object, (iii) accessing information in such an object, (iv) updating information in such an

object, (v) determining, from an object name, a physical address associated with such an object,

and (vi) providing notification of changes in at least selected information stored in such an

object," as recited in claim 213, for at least the same reasons as already discussed with respect to

claim 199, part "D".

For at least these reasons, among others, claim 213 is allowable over Theimer.

Theimer Does Not Anticipate Independent Claim 229

Claim 229 is generally directed to a portable computer for use in a control system that

includes one or more control/sensing devices to monitor and/or control a process. Also included

is a program that executing on the portable computer in order to configure it as a process

controller for purposes of at least controlling one or more of the control/sensing devices. The

portable computer, when configured as a process controller, exchanges messages over a wireless

network with a server digital data processor for purposes of controlling one or more of the

control/sensing devices. The messages include requests, transmitted by the portable computer to

the server digital data processor, for services provided by the server digital data processor, which

include at least one of (i) accessing information regarding the one or more control/sensing

devices, (ii) updating information regarding the one or more control/sensing devices, (iii)

determining a physical address associated with the one or more control/sensing devices, and (iv) providing notification of changes in at least selected information pertaining to the one or more control/sensing devices.

The Examiner contends that claim 229 is anticipated by Theimer. The Applicants respectfully disagree. For example, Theimer does not disclose "B. the portable computer, when configured as a process controller, exchanging messages over a wireless network with a server digital data processor for purposes of controlling the one or more control/sensing devices," as recited in claim 229. The Examiner merely cites what amounts to a list of computer devices in Theimer as somehow disclosing this element. (See Office Action at 9, citing "server, col. 5, line 48, a portable computer, col. 7, line 37".) The Applicants do not understand the cited passage to teach or suggest the claimed limitations.

Theimer also does not disclose "C. the messages including requests, transmitted by the portable computer to the server digital data processor, for services provided by the server digital data processor including services for at least one of (i) accessing information regarding the one or more control/sensing devices, (ii) updating information regarding the one or more control/sensing devices, (iii) determining a physical address associated with the one or more control/sensing devices, and (iv) providing notification of changes in at least selected information pertaining to the one or more control/sensing devices," as recited in claim 229. The Examiner cites what appear to be several unrelated passages of Theimer. However, Applicants do not understand any of the cited passages to teach or suggest the limitations for which they are cited. For example:

- As to (i), Theimer does not teach or suggest requests, which are included in messages exchanged over a wireless network, that are transmitted by a portable computer to a server digital data processor for services provided by the server digital data processor, including a service for (i) accessing information regarding the one or more control/sensing devices, as recited claim 229. Rather, the passage cited by the Examiner (which is col. 20, lines 3-15 of Theimer) merely discusses a Location Service taking requests to update the location of a printer or display terminal;

- As to (ii), Theimer does not teach or suggest requests, which are included in messages exchanged over a wireless network, that are transmitted by a portable computer to a server digital data processor for services provided by the server digital data processor, including a service for (ii) updating information regarding the one or more control/sensing devices, as recited in claim 229. Rather, the passage cited by the Examiner (which is col. 12, lines 45-55 of Theimer) merely discusses a UserAgent updating itself based on a callback from a Location Service about nearby things, such as a nearby user or object;

- As to (iii), Theimer does not teach or suggest requests, which are included in messages exchanged over a wireless network, that are transmitted by a portable computer to a server digital data processor for services provided by the server digital data processor, including a service for (iii) determining a physical address associated with the one or more control/sensing devices, as recited in claim 229. Rather, the passage cited by the Examiner (which is col. 7, line 55 to col. 8, line

14 of Theimer) merely discusses a Name Service where software processes, users, or devices can register themselves;

- As to (iv), Theimer does not teach or suggest requests, which are included in messages exchanged over a wireless network, that are transmitted by a portable computer to a server digital data processor for services provided by the server digital data processor, including a service for (iv) providing notification of changes in at least selected information pertaining to the one or more control/sensing devices, as recited in claim 229. Rather, the passage cited by the Examiner (which is col. 12, lines 20-45 of Theimer) merely discusses the Location Service performing a status check and providing callbacks in response to location queries.

For at least these reasons, among others, claim 229 is allowable over Theimer.

Theimer Does Not Anticipate Independent Claim 243

Claim 243 is generally directed to a digital data processor for use in a control system that includes one or more control/sensing devices to monitor and/or control a process. Also included is a program executing on the digital data processor in order to configure it as a process controller for purposes of at least controlling the one or more control/sensing devices. The digital data processor, when configured as a process controller, exchanging messages over a wireless network for purposes of controlling the one or more control/sensing devices. The messages include requests, transmitted by the digital data processor for object management services including services for at least one of (i) accessing information regarding the one or more control/sensing devices, (ii) updating information regarding the one or more control/sensing

devices, (iii) determining a physical address associated with the one or more control/sensing

devices, and (iv) providing notification of changes in at least selected information pertaining to

the one or more control/sensing devices.

The Examiner contends that Theimer anticipates claim 243, relying on the same passages

from Theimer as were relied upon for claim 229. The Applicants respectfully disagree. The

arguments presented above in connection with claim 229 apply with equal force to establish that

claim 243 is allowable over Theimer. More specifically, Theimer does not teach or suggest "B.

the digital data processor, when configured as a process controller, exchanging messages over a

wireless network for purposes of controlling the one or more control/sensing devices," or "C.

the messages including requests, transmitted by the digital data processor for object management

services including services for at least one of (i) accessing information regarding the one or more

control/sensing devices, (ii) updating information regarding the one or more control/sensing

devices, (iii) determining a physical address associated with the one or more control/sensing

devices, and (iv) providing notification of changes in at least selected information pertaining to

the one or more control/sensing devices," as recited in claim 243.

For at least these reasons, among others, claim 243 is allowable over Theimer.

Theimer Does Not Anticipate Independent Claim 257

Amended claim 257 is generally directed to a method of operating a digital data

processor, which includes a wireless network connection, for use in a control system that

includes one or more control/sensing devices to monitor and/or control a process. The method

further includes configuring the digital data processor as a process controller for purposes of

controlling one or more of said control/sensing devices, and exchanging one or more messages in

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a form of any of text and ASCII format via said wireless network connection for purposes of effecting said controlling of the one or more control/sensing devices.

Amended claim 257 is not anticipated by Theimer. More specifically, Theimer does not teach or suggest "B. exchanging one or more messages in a form of any of text and ASCII format over said wireless network via said wireless network connection for purposes of effecting said controlling of said one or more said control/sensing devices." While the Examiner points to Theimer at col. 15, line 3 as supposedly teaching "text," (see Office Action at 4, bullet point 15) there are no messages in the form of text and/or ASCII being exchanged, as recited in claim 257. Rather, Theimer says that his system can have policies, one of which might be the font of the "text" to be shown in a display window.

For at least these reasons, among others, claim 257 is allowable over Theimer.

Theimer Does Not Anticipate Dependent Claims 179-189, 191-198, 200-212, 214-228, 230-242, 244-256, 258-276

Each of the above-recited dependent claims depends from one of the independent claims discussed above and is allowable for at least that reason, among others.

Conclusion

Theimer does not anticipate any of the claims in the application. Rather, the Applicants respectfully submit that the Office Action picks and chooses among separate and isolated sections of Theimer in an attempt to reconstruct the claims using the benefit of hindsight.

In light of the foregoing, Applicants believe that the application is in condition for allowance. The Examiner is encouraged to telephone the undersigned attorney for Applicants if such communication will expedite prosecution of this application.

Respectfully submitted,

Date: January 2, 2008   /Joshua T. Matt/

                                                   Joshua T. Matt (Reg. No. 55,435)
                                                   Attorney for Applicants

Nutter McClennen & Fish LLP
155 Seaport Boulevard
Boston, MA 02210-2604

Tel: (617) 439-2651
Fax: (617) 310-9651

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